

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/583,153

Filing Date

June 16, 2006

First Named Inventor

Hirohisa TANAKA

Art Unit

1793

Examiner Name

Anthony J. ZIMMER

Attorney Docket Number

71465.0013

ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):Response to Restriction/Election
Requirement dated May 7, 2008.

Remarks

Please charge any fees or credit any overpayments to Deposit Account No. 50-0951.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

AKERMAN SENTERFITT

Signature

Jean C. Edwards

Printed name

Jean C. Edwards, Esq.

Date

June 9, 2008

Reg. No.

41,728

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

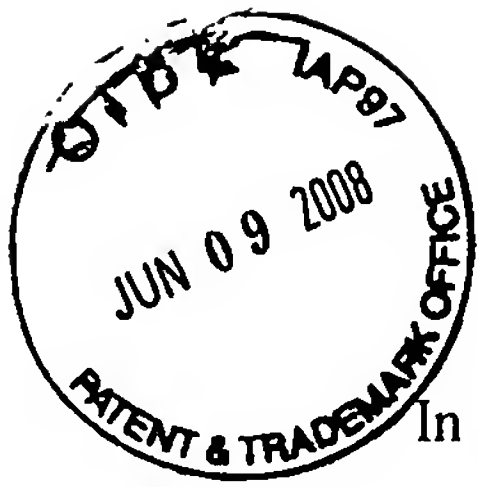
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Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Hirohisa TANAKA et al.

Group Art Unit: 1793

Filed: June 16, 2006

Examiner: Anthony J. ZIMMER

Based on: PCT/JP2004/019138

Atty Dkt No: 71465.0013

Application No.: 10/583,153

Customer No.: 57362

Confirmation No.: 2559

For: CATALYST COMPOSITION

**RESPONSE TO RESTRICTION REQUIREMENT/
ELECTION OF SPECIES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated May 7, 2008, in which the Applicant was requested to elect a single invention for prosecution on the merits, and a single disclosed species for prosecution on the merits, the Applicants respectfully elect the following for prosecution in this application:

Group I: Claims 1-10, drawn to a catalyst wherein there is no oxygen excess and the A component is present in a proportion 1-x.

However, the Applicants respectfully traverse the present Restriction Requirement for the following reasons. The perovskite-type composite oxide recited in Claim 1 has a stoichiometric composition, while the perovskite-type composite oxide recited in Claim 11 has a non-stoichiometric composition. Thus, the fundamental or basic formulations common to both Claims 1 and 11 are the same, so that the inventions are believed to be so linked as to

form a single general inventive concept. For this reason, the Applicants respectfully request that the Restriction Requirement be withdrawn and that all claims be examined.

If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

The Applicants hereby petition for any extensions of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account 50-0951.

Respectfully submitted,

Jean C. Edwards

Jean C. Edwards, Esq.
Registration No. 41,728
Paul F. Neils, Esq.
Registration No. 33,102

(57362)
AKERMAN SENTERFITT
801 Pennsylvania Avenue N.W.
Suite 600
Washington, D.C. 20004
202-824-1719 - phone
202-824-1791 - fax
Date: June 9, 2007